

**Amendments to the Claims**

This listing of claims will replace all prior versions and listings of claims in the application:

**Listing of Claims**

1-13 (Canceled):

14 (Currently Amended): An imaging apparatus comprising:

an image pickup element having an imaging area in which a plurality of light receiving elements are two-dimensionally placed;

a zoom operation unit for a user to operate expansion or reduction of an image; and

a controller that controls to drive said image pickup element with a first shutter speed of an electronic shutter and mix a first number of pixel signals in the image pickup element, which is output from the plurality of light receiving elements in a first area of the imaging area, in a case that a first magnification is set by said zoom operation unit, and to drive said image pickup element with a second shutter speed of the electronic shutter and mix a second number of pixel signals in the image pickup element, which is output from the plurality of light receiving elements in a second area, which is smaller than the first area, of the imaging area, in a case that a second magnification, which is larger than the first magnification, is set by said zoom operation unit, wherein the second shutter speed is lower than the first shutter speed and the second number is smaller than the first number.

15-17 (Canceled):

18 (Currently Amended): A method of controlling an imaging apparatus comprising an image pickup element having an imaging area in which a plurality of light receiving elements

are two-dimensionally placed and a zoom operation unit for a user to operate expansion or reduction of an image, said method comprising the step of:

Controlling controlling to drive said image pickup element with a first shutter speed of an electronic shutter and mix a first number of pixel signals in the image pickup element, which is output from the plurality of light receiving elements in a first area of the imaging area, in a case that a first magnification is set by said zoom operation unit, and to drive said image pickup element with a second shutter speed of the electronic shutter and mix a second number of pixel signals in the image pickup element, which is output from the plurality of light receiving elements in a second area, which is smaller than the first area, of the imaging area, in a case that a second magnification, which is larger than the first magnification, is set by said zoom operation unit, wherein the second shutter speed is lower than the first shutter speed and the second number is smaller than the first number.

19 (Currently Amended): The apparatus according to claim 14, wherein said controller controls to drive said image pickup element with a third shutter speed of an electronic shutter and not to mix pixel signals in the image pickup element, which is output from the plurality of light receiving elements of the imaging area, in a case that a third magnification, which is larger than the second magnification, is set by said zoom operation unit, wherein the third shutter speed is lower than the second shutter speed.

20 (Currently Amended): The method according to claim 18, said controlling step controls to drive said image pickup element with a third shutter speed of an electronic shutter and not to mix pixel signals in the image pickup element, which is output from the plurality of light receiving elements of the imaging area, in a case that a third magnification, which is larger than

the second magnification, is set by said zoom operation unit, wherein the third shutter speed is lower than the second shutter speed.